

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

BROWNSON,

Plaintiff,

V.

**THE PENNSYLVANIA STATE
UNIVERSITY,**

Defendant.

Case No. 4:21-CV-1993

(Hon. Mannion)

DEFENDANT’S PARTIAL MOTION TO DISMISS AND FOR A MORE DEFINITE STATEMENT

Defendant The Pennsylvania State University (“University”) moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for an order dismissing Plaintiff’s hostile environment claims (Count I and III), wrongful termination claim (Count II), and disability discrimination claims (Counts IV, V, VI, and VII) with prejudice, and pursuant to Rule 12(e) for a more definite statement as to the allegations in Paragraphs 53, 61, 62, 72, and 73 of the Complaint.

WHEREFORE, the University respectfully requests the Court to:

- a. Grant this Motion;
- b. Dismiss Counts I and III, to the extent they allege a hostile work environment, with prejudice;
- c. Dismiss Counts II, IV, V, VI, and VII, with prejudice;

- d. Direct Plaintiff to file an amended complaint with a more definite statement regarding the allegations set forth in Paragraphs 53, 61, 62, 72, and 73 of the Complaint; and
- e. Grant such further relief that the Court deems just and equitable.

Dated: December 14, 2021

Respectfully submitted,

s/ Carolyn A. Pellegrini

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Counsel for Defendant

Certificate of Non-Concurrence

I hereby state that before filing the foregoing Motion, I contacted Plaintiff's counsel and explained the nature of this motion and its legal basis. I requested, but did not obtain, concurrence in the relief sought in this Motion.

Date: December 15, 2021

s/ Carolyn A. Pellegrini

Carolyn A. Pellegrini

Certificate of Service

I hereby certify that on the date set forth below, I caused a true and correct copy of the foregoing Motion to be served upon the following via the Court's

Electronic Case Filing system:

Julie Chovanes, Esq.
Chovanes Law
P.O. Box 4307
Philadelphia, PA 19118
Counsel for Plaintiff

Date: December 15, 2021

s/ Carolyn A. Pellegrini
Carolyn A. Pellegrini